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Date of Deposit: May 3, 2004

Attorney Docket No. 18989-026

II.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PPLICANTS:

James H. Philip

SERIAL NUMBER:

10/655,673

EXAMINER:

Not yet assigned

FILING DATE:

September 5, 2003

ART UNIT:

3736

FOR:

ANESTHETIC-STATE DETERMINING

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. §1.136(a), applicant hereby petitions for a three-month extension of time to respond to the December 1, 2003 Notice to File Missing Parts in the above-identified application. With the extension, the response is due on or before May 1, 2004, which is a Saturday; thus, a response is due on or before Monday, May 3, 2004. A check in the amount of \$475.00, in payment of the fee required by 37 C.F.R. §1.17(a)(3), is enclosed herewith. This applicant claims small entity status.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 18989-0026. A duplicate copy of this Petition is enclosed. herewith.

Respectfully submitted,

vør R. Elrifi, Reg. No. 39,529

Shane H. Hunter, Reg. No. 41,858

Attorneys for Applicant c/o MINTZ, LEVIN

Tel: (617) 542-6000 Fax: (617) 542-2241 Customer No. 30623

Dated: May 3, 2004

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